

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

SPARROW FUND MANAGEMENT, LP,

Plaintiff,

vs.

MIMDEX GROUP, INC., PARKER H.  
“PETE” PETIT and JOHN DOES 1-10,

Defendants.

Civil Case No.: 1:18-cv-04921-JGK

**DECLARATION OF NATHAN  
KOPPIKAR IN SUPPORT OF MOTION  
FOR EXPEDITED DISCOVERY**

I, Nathan Koppikar, declare:

1. I am a founding and managing partner of Plaintiff, Sparrow Fund Management, LP.
2. Sparrow Fund Management, LP (“Sparrow”) is an investment firm that grows capital on behalf of its investors.
3. In October 2017, MiMedx Group, Inc. (“MiMedx”) filed a lawsuit against Sparrow accusing Sparrow (or one of its principals) of being the anonymous online blogger, “Aurelius Value,” who allegedly regularly posted negative information about MiMedx. The lawsuit was filed in this Court, MiMedx Group, Inc. v. Sparrow Fund Management, LP, et al., Case No. 1:17-cv-07568-PGG-KHP (the “MiMedx Lawsuit”). No one from Sparrow is Aurelius Value, and all employees of Sparrow provided individual affidavits to MiMedx attesting to this fact soon after MiMedx filed its lawsuit.
4. Concurrent with its lawsuit against Sparrow, MiMedx and its CEO Parker “Pete” Petit began to issue regular press releases that smeared Sparrow’s reputation publicly, labeling it a criminal enterprise. As a result, I began to closely monitor all news flow relating to MiMedx. One of the websites I use to monitor news flow is Twitter.

5. Immediately following MiMedx's lawsuit against Sparrow, I noticed a surge in activity on Twitter from what appeared to be proponents of MiMedx.

6. In the course of such monitoring, I became acquainted with the following Twitter handles, @nascardrivers69, @webchicklet, @CE\_BreakingNews, @captkevinrogers, and @atlantadoctors (the "John Does").

7. Many of these accounts were either newly created or previously inactive for several years. However, in the period following MiMedx's lawsuit, these accounts began to seemingly spend all of their time either promoting MiMedx's stock or attacking MiMedx's critics.

8. Following the filing of the MiMedx Lawsuit, the John Does began making false, accusatory statements against Sparrow, while simultaneously promoting MiMedx's business practices. For example, on October 10, 2017, Twitter user, @CE\_breakingnews, tweeted: "Sparrow fund henchmen made up lies to TRY to get your \$10 puts in the money." In the financial industry, we understand this phrase, "getting puts-in-the-money," to mean illegal market manipulation by way of spreading false information publicly in order to artificially bring down a stock price. Similarly, on that same day, Twitter user, @nascardrivers69, stated, when responding to comments about MiMedx, "oh oh. Sparrow is going to throw you under the bus for creating ineffective lies about \$mdxg." I understood "\$mdxg" to refer to MiMedx. MiMedx's NASDAQ symbol is MDXG and it is customary for Twitter users to tag posts relating to specific companies with a "\$" symbol followed by the target company's stock symbol. Further, the statement from @nascardrivers69 suggested Sparrow was paying the blogger to fabricate statements about MiMedx.

9. The identities behind the Twitter handles at issue are anonymous. Nevertheless, Sparrow has developed some suspicions as to their identities.

10. First, on March 18, 2018, @nascardrivers69 was publicly accused of being Kevin Rogers. By the response, @nascardrivers69 seemed to confirm the accusation. A screenshot of that exchange is attached hereto as Exhibit 1.

11. Following the announcement from @nascardrivers69, we confirmed additional ties between Kevin Rogers and three of the other Twitter handles mentioned above, @webchicklet, @CE\_breakingnews, and @captkevinrogers. The latter handle, @captkevinrogers, speaks for itself. Sale records from the website, Flippa.com, indicate that a user, “captkev,” (with obvious similarities to “@captkevinrogers”) purchased the handle, @webchicklet. And simple online searches revealed the same “captkev@gmail.com” as the owner of the website, californiaexaminer.net.

12. On September 21, 2017, the owner of the website published an article titled “Viceroy Research, Aurelius Value: Paid Shills Create Negative Fake News on Mimedix Group, MDXG.” The article alleged that a specific hedge fund was paying Aurelius Value to disseminate fake information to depress the stock of MiMedx. The article further described Aurelius as a “common criminal that [created] a website and attacked good companies on behalf of the highest bidder, all so they can make more money.” A link to this article was tweeted by Twitter user @CE\_BreakingNews, an account that appeared to be directly tied to the website CaliforniaExaminer.net.

13. Using Google, I discovered that Kevin Rogers previously ran a company called 7825013 Canada Inc. The email address used to register 7825013 Canada Inc. is [7825013@gmail.com](mailto:7825013@gmail.com). Using publicly available Twitter tools, I was able to confirm that the email address registered to the Twitter handle @CE\_BreakingNews is in fact [7825013@gmail.com](mailto:7825013@gmail.com). Using this same methodology, I was able to link @nascardrivers69 to Kevin Rogers’ cell phone.

14. At this point, these are suspicions, albeit well-founded suspicions. Nevertheless, in the absence of formal discovery (namely, being able to subpoena documents and deposition testimony from Mr. Rogers), Sparrow is currently unable to confirm its suspicions.

15. We have also identified as one of the John Doe defendants, the Twitter user, @atlantadoctors. Sparrow has reason to believe an individual named Tedra Desue is linked to @atlantadoctors.

16. In a Twitter thread, dated March 14, 2018, relating to the topic of the identity of the John Doe defendants, an anonymous Twitter user addressed “Tedra” on Twitter and despite not being party to the conversation, Twitter user @atlantadoctors, appeared to acknowledge her name was in fact “Tedra.” A copy of a screenshot of this conversation is attached hereto as Exhibit 2.

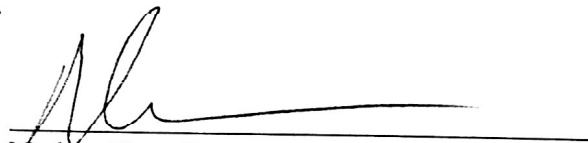
17. Following the Twitter exchange and my own knowledge of Tedra Desue’s alleged history of undisclosed paid stock promotion, I reviewed thousands of posts from Tedra Desue’s personal Twitter account, @tedradesue, and compared them to Twitter user @atlantadoctors. I also reviewed Tedra Desue’s employment background and discovered that she identified herself as an employee of CG Capital, which MiMedx lists as its official outsourced investor relations firm. As a result, there was reason to suspect links between @tedradesue and @atlantadoctors. A thorough review of thousands of @tedradesue’s and @atlantadoctor’s posts revealed remarkably similar writing styles between the two, along with similar content. But again, outside of formal discovery, Sparrow is unable to confirm @atlantadoctors’ identity.

18. I am concerned that if we do not have an immediate opportunity to seek discovery from Mr. Rogers or Ms. Desue, we may lose a chance to do so. This is because online content is often dynamic. For example, I have reviewed Twitter’s policies and I understand that, where a Twitter user deletes his or her account, Twitter will delete the information behind that account

within 30 days. In fact, @atlantadoctors has already locked her online profile, so if @atlantadoctors is deleting her postings, there is no way I can know that.

**I HEREBY DECLARE THAT THE ABOVE STATEMENTS ARE TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND I UNDERSTAND THIS DECLARATION IS MADE FOR USE AS EVIDENCE IN COURT AND IS THEREFORE SUBJECT TO PENALTY FOR PERJURY.**

DATED this 27 day of June 2018.



Nathan Koppikar